

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

United States of America,

v.

Keith Leonard Foster,

Movant.

Cr. No.7:02-248-19-GRA

C/A No. 7:05-988-GRA

ORDER

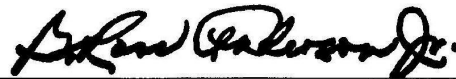
[Written Opinion]

This matter comes before the Court on petitioner's Motion for Reconsideration of this Court's April 5, 2005 Order s dismissing his petition under 28 U.S.C. § 2255. Petitioner filed the present motion on April 27, 2005. The Court has reconsidered, and DENIES the Motion for Reconsideration.

Petitioner states in his motion that this Court erroneously spoke to his prior petition as a *Booker* claim. Having fully reviewed its prior Order, this Court finds that *Booker* was not mentioned and that Petitioner's §2255 petition was dismissed because it was untimely.

IT IS THEREFORE ORDERED that the Motion for Reconsideration be DENIED.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.  
UNITED STATES DISTRICT JUDGE

Anderson, South Carolina  
June 8, 2005.